



## Representations to Proposed Submission Version

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**South Staffordshire Local Plan Review  
Proposed Submission Version: Regulation 19 Consultation  
on behalf of Boningale Homes Limited**

**December 2022**

Report No. MAN.710.003.PL.R.001

'Experience and expertise working in union'



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# Local Plan Review Regulation 19 Representation

Project:	Local Plan Review Regulation 19 Representation
For:	Boningle Homes Ltd.
Status:	FINAL
Date:	December 2022
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## Contents

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### Executive Summary

<b>1.0</b>	<b>Introduction .....</b>	<b>7</b>
<b>1.1</b>	<b>Introduction .....</b>	<b>7</b>
<b>1.3</b>	<b>Planning Context .....</b>	<b>9</b>
<b>2.0</b>	<b>Policy DS4 Development Needs .....</b>	<b>11</b>
<b>2.1</b>	<b>Housing Needs Analysis .....</b>	<b>11</b>
<b>2.2</b>	<b>Previous levels of planned and delivered housing growth .....</b>	<b>12</b>
<b>2.3</b>	<b>Supporting Economic Growth.....</b>	<b>14</b>
<b>2.4</b>	<b>Duty to Co-operate .....</b>	<b>15</b>
<b>2.5</b>	<b>Sustainability Appraisal .....</b>	<b>16</b>
<b>3.0</b>	<b>Policy DS5 Housing Land Supply .....</b>	<b>20</b>
<b>3.1</b>	<b>Spatial Strategy for Distribution of Housing Land Supply.....</b>	<b>20</b>
<b>3.2</b>	<b>Effectiveness of Strategy .....</b>	<b>22</b>
<b>3.3</b>	<b>SHELAA .....</b>	<b>23</b>
<b>3.4</b>	<b>Housing Land Supply.....</b>	<b>25</b>
<b>3.5</b>	<b>Spatial Distributions of Sites .....</b>	<b>27</b>
<b>3.6</b>	<b>Realism of Delivery .....</b>	<b>29</b>
<b>4.0</b>	<b>Site Specific Assessments .....</b>	<b>32</b>
<b>4.1</b>	<b>Boningle Sites .....</b>	<b>32</b>

### Tables and Figures

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## Executive Summary

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This representation has been prepared by Enzygo Ltd in respect of the Draft Local Plan Publication Version for South Staffordshire 2018-2039, Regulation 19, November 2022 (hereafter referred to as the 'Publication LP') on behalf of Boningle Homes Limited (Boningle).

Boningle has different land interests across the South Staffordshire District. This representation has been prepared to cover all of those land interests in relation to the Publication LP and relates to the following issues:

1. Council's assessment of its housing land requirements and the need for greater flexibility given its chosen development strategy and the need to promote sustainable patterns of new development and to tackle climate change. It is proposed that the flexibility allowance for housing land requirement is increased over the plan period to cater not only for the housing needs of South Staffordshire but also the unmet needs from the wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA).
2. Providing more homes and land for economic development in South Staffordshire requires further allocations and due to the constraints, this will require further Green Belt releases. The distribution of this additional land supply should be focussed on delivering a range of smaller sites which can deliver completions early in the first phase of the Local Plan. Boningle considers that this could be delivered in a number of locations across South Staffordshire in or on the edge of all the identified Tier 1, Tier 2, Tier 3, Tier 4 and Tier 5 settlements. Boningle does not expect some of the existing allocations to be able to increase its rate of completions in the early period of the Local Plan and completions are expected to be lower.
3. Commentary on the Council's policy framework in the Local Plan and recommendations for modifications to help deliver the Council's development strategy, including its proposed housing trajectory and maintain a five year effective housing land supply at all times from date of adoption of the Local Plan. These primarily relate to Policy DS4: Development Needs and Policy DS5: The Spatial Strategy to 2039 and Policy DS1: Green Belt.

Boningle supports South Staffordshire Council's (The Council's) general aspirations for the District and the underlying approach to its development strategy in order to meet South Staffordshire's housing requirements. However, we do have concerns that this approach does not go far enough to help address the considerable shortfall identified for the GBBCHMA.

Boningle maintains that there is enough evidence to justify new Green Belt allocations and that this evidence provides the basis for the 'exceptional circumstances' that the National Planning Policy Framework (NPPF) requires to be demonstrated in order to support the release of greenfield land in the Green Belt as part of the Council's development strategy.

Boningle fully supports the Council's development strategy to meet the housing and employment needs of the district whilst making a proportionate contribution towards the unmet needs of Greater Birmingham and Black Country Housing Market Area and wider Functional Economic Market Area. Boningle also agree that new housing will be focused on sustainable locations within the district, either within or adjacent to the district's key villages or through urban extensions adjacent to neighbouring towns and cities.

We understand and support the development strategy of maximising the development of brownfield and infill sites in the urban area GBBCHMA authorities. The Council has identified 9,089 homes from its assessments and with 80% of the District lying within the Green Belt the majority of this requirement will require a positive development strategy for the Green Belt land releases.

Boningle supports the proposing of greenfield development in the Tier 1, Tier2 and Tier 3 settlements of Codsall, Breewood and Coven. However, Boningle believes that Bishop's Wood Tier 4 settlement should also be included within the spatial strategy for housing growth and considers that the Council's housing trajectory is too "lumpy" with little in years 2023-2024 and too optimistic about the scale of completions from 2025-2026. Consequently, the Council will fail to maintain an effective housing land supply from date of adoption of the Local Plan.

Boningle requests that the following matters are addressed as part of the Local Plan Review process. These modifications are summarised as follows:

- **Tong Road, Bishop's Wood (BH032).** This site is not unduly constrained in terms of topography, ecology, flood risk or heritage. The site provides an opportunity to deliver some of the growth identified for Tier 4 settlements such as Bishop's Wood, as identified in the in the Spatial Housing Strategy and Infrastructure Delivery Plan (2019) consultation. Taking other constraints into account, and as evidenced in the site specific representation, the site is considered suitable as an allocation for residential development in the local plan.
- **Hockerhill Farm Land South of Kiddermore Green Road (BH026).** This the site is not known to be unduly constrained in terms of topography, ecology, flood risk or heritage. The proposed representation site (SHELAA Site 075 and 075a) is located in proximity to the proposed Regulation 19 allocation site (SHELAA Site 079) along Kiddemore Green Road, with the two sites separated by a single field. It presents an opportunity for an additional or alternative site under Policy SA5 of the local plan that would be consistent with the proposed spatial hierarchy and spatial distribution of sites around Tier 2 settlements, subject to the consideration of Green Belt boundaries under Policy DS1. The site is located on the edge of the Tier 2 settlement of Breewood, in a sustainable location that provides access to a range of facilities, amenities and taking other constraints into account, and as evidenced above, the site is considered potentially suitable as an allocation for residential development in the local plan.

- **Land South of Dirty Lane, Brewood BH027 (a).** The site is located adjacent to the Tier 2 settlement of Brewood, in a sustainable location that provides access to a range of facilities, amenities and schools. Compared to other potential sites around Brewood village and the wider South Staffordshire area, this Site is considered to make a limited contribution to the purposes of the Green Belt, as informed by the LUC Green Belt Assessment which concludes that the release of this parcel of land would not weaken the Green Belt boundary or the integrity of wider Green Belt land. The site is considered potentially suitable as an allocation for residential development in the local plan and could contribute towards the Council's commitment to supply 10% of homes on sites less than 1 hectare.
- **Land South of Dirty Lane, Brewood BH027 (b).** This site is closely related the site BH027 (a) above and it too is located adjacent to the Tier 2 settlement of Brewood, in a sustainable location that provides access to a range of facilities, amenities and schools. Together with the adjacent site, it is considered potentially suitable as an allocation for residential development in the local plan and could contribute towards the Council's commitment to supply 10% of homes on sites less than 1 hectare.
- **Land South of Coven Road, Brewood BH028.** The site is located within a land parcel off Coven Road, to the southeast of Brewood. It sits between the villages of Brewood and Coven. Boningale consider that the site is suitable as an allocation for residential development in the local plan.
- **Land North of Whitehouse Lane, Codsall Wood BH029.** The site is near to the settlement edge offers an opportunity for a proportionately sized allocation that respects the scale, character and local distinctiveness of its surroundings. This could help to deliver rural housing needs in the early stages of the plan period where no brownfield sites are currently available. The size of the land parcel also offers the potential for additional greenbelt compensation measures. The site may also qualify under Policy HC6 'Rural Exception Sites' of the local plan, subject to consideration of affordable housing needs, being located directly adjacent to the settlement edge of Codsall Wood.
- **Land North of Harriotts Hayes Lane, Codsall Wood BH030.** The site is adjoining the settlement of Codsall Wood and to the immediate west of the site are residential dwellings located on County Lane. The site provides an opportunity to deliver some of the sustainable growth for Tier 5 settlements such as Codsall Wood. This especially true for affordable housing. Taking other constraints into account, the site is considered potentially suitable as an allocation for residential development in the local plan.
- **The Bungalow Site (Land East of Heath House Lane), Codsall BH031.** The site is located within an area partially contained by urbanising uses. Such uses in relation to the site include the settlement edge of the Tier 1 settlement Codsall, located adjacent to the northern boundary. A proposed Regulation 19 site allocation, an existing garden centre, business park and residential dwellings are also located in the vicinity of the site. This, in combination with the site location and existing context, as described above, would help

to comprise a natural extension to the settlement edge, ensuring that the five key purposes of the Green Belt are maintained. The village centre of Codsall is located approximately 1.15km northeast of the site. As well as a need for additional Green Belt land to be allocated and released to meet additional housing land requirements, the Local Plan Review should consider land for safeguarding purposes, if development in its identified expansion areas is delayed. This ensures the Local Plan maintains its flexibility. In this regard, Land West of Heath House Lane, Codsall provides capacity for immediate housing development and a substantial and sustainable area of suitable land that can be safeguarded. This representation site should also be read in conjunction with Boningale Homes). This representation site should also be read in conjunction with Boningale Homes West of Heath Lane, Codsall site submission (BH032).

- **Land West of Heath House Lane, Codsall BH032.** The site is located adjacent to the Tier 1 settlement of Codsall. Tier 1 settlements are recognised as providing the highest level of access to a range of facilities and services in the local plan. Wolverhampton city centre lies approx. 5.7km southeast of the site. As well as a need for additional Green Belt land to be allocated and released to meet additional housing land requirements, the Local Plan Review should consider land for safeguarding purposes, if development in its identified expansion areas is delayed. This ensures the Local Plan maintains its flexibility. In this regard, Land West of Heath House Lane, Codsall provides capacity for immediate housing development and a substantial and sustainable area of suitable land that can be safeguarded. This representation site should also be read in conjunction with Boningale Homes Bungalow site submission (SHELAA site reference 515). Due to this representation sites larger size, the site may be physically capable of accommodating the first school required to serve Bilbrook and Codsall and provide connectivity between sites. This would provide an opportunity to align the housing growth strategy with the identified need for a first school to serve the villages.

- In the context that the Draft Local Plan is dependent on completions from sites already allocated and many have not yet come forward which can be challenging in terms of lead-in, the Draft Local Plan requires additional flexibility to adapt to possible changing circumstances over the plan period. Accordingly, a 20% flexibility allowance (not 13%) should be included as part of the housing land requirement to ensure the Draft Local Plan delivers at least the minimum housing requirement within the plan period. This adds the requirement for an additional 636 homes<sup>1</sup>. This should be added to areas already included as part the Council's development strategy with a focus on effective housing sites which can deliver completions in the early years of the Local Plan;

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<sup>1</sup> The calculation of the figure quoted is as follows. A 13% contingency would give  $[9089 \times 0.13] + 9089 = 10270.57$  homes. A 20% contingency would give  $[9089 \times 0.2] + 9089 = 10906.8$  homes. The difference in these figures is 636 homes.

However also need to be aware of some of the anomalies in the table below para 3.13. If taken into account an existing housing supply figure of 10188 homes the difference would be 718 homes.

- As well as a need for additional Green Belt land to be allocated and released to meet this additional housing land requirements, the Draft Local Plan should consider land for safeguarding purposes, if development in its identified expansion areas is delayed. This ensures the Draft Local Plan maintains its flexibility. In this regard, Land West of Heath House Lane, Codsall and provide immediate housing development and a substantial and sustainable area of suitable land that can be safeguarded;
- The settlements and sites identified by Boningle can accommodate further growth than that proposed in the Draft Local Plan. Further development should demonstrate that the choice of site is as sustainable as those proposed by the Council and that the impact on the Green Belt is no worse than that of existing allocations or of the proposed allocations. All sites need to be effective and capable of delivering completions in the initial years of the Local Plan. In this regard, Boningle's sites at Land East of Heath House Lane (Known as the Bungalow Site), Codsall and Land West of Heath House Lane, Codsall, Dirty Lane Sites 1 and 2 and Bishops Wood meet all these requirements and should be allocated for residential development. These will deliver much needed market and affordable homes in the early years of the plan period.

## 1.0 Introduction

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### 1.1 Introduction

1.1.1 This representation is submitted in response to the Council's Proposed Submission Version (Regulation 19) (November 2022) of the South Staffordshire District Local Plan Review 2018-2039. All the representations have been prepared by Enzygo on behalf of Boningale Homes Limited. Boningale Homes are a local family owned, regional housebuilder. They are committed to constructing homes to an exceptional standard, with a commitment to excellent design with careful consideration given to outdoor space. Boningale Homes are also committed to embedding sustainability into the new homes they construct.

1.1.2 These representations respond to the emerging policies and strategic matters, having regard to the national, regional and local planning policy context. Boningale has identified a number of matters where modifications to the Draft Local Plan should be considered to assist its delivery. The representations also provide commentary in respect of the evidence base that underpins the Draft Local Plan and its spatial development strategy.

1.1.3 These representations are framed in the context of the requirements of the Local Plan to be legally compliant, sound, positively prepared, justified, effective, and consistent with national policy. The tests of soundness are set out in the National Planning Policy Framework (NPPF), Paragraph 35. For a Local Plan to be sound it must be:

- **Positively Prepared** – the plan should be prepared based on the strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its plan period and based on effective joint working on cross boundary strategic priorities; and
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

1.1.4 NPPF provides the policy context to ensure that the Council plans for the right homes in the right places, at the same time as protecting the environment. It is vital that the South Staffordshire Local Plan accords with the NPPF, particularly the following policies:

- Achieving sustainable development;
- Delivering a sufficient supply of homes;
- Building a strong competitive economy;
- Promoting healthy and safe communities;
- Promoting sustainable transport;
- Making effective use of land;
- Achieving well-designed places;

- Meeting the challenge of climate change, flooding and coastal change;
- Conserving and enhancing the natural environment; and
- Conserving and enhancing the historic environment.

1.1.5 Section 5 of the NPPF also specifically relates to housing. The remaining sections of this representation consider housing need, housing supply and housing delivery in accordance with key themes of the NPPF and Planning Practice Guidance (PPG).

## **1.2 National household projections**

1.2.1 National Household Projections released in March 2021 are based on 2018. Household projections are not a prediction or forecast of how many houses should be built in the future. Instead, they show how many additional households would form if assumptions based on previous demographic trends in population growth and household formation were to be realised. Projections do not factor in the effect of the coronavirus (COVID-19) or attempt to predict the impact of political circumstances.

1.2.2 Michael Gove, the Secretary of State for Levelling Up, Housing and Communities, made a statement in the House of Commons on 6 December 2022 on the future of the planning system. More detail on the proposals will be set out in an upcoming National Planning Policy Framework prospectus, which will be put out for consultation by the end of 2022.

1.2.3 He stated that the Government will be looking to retain a method for calculating local housing need figures, but consult on changes. *“I do believe that the plan-making process for housing has to start with a number. This number should, however, be an advisory starting point, a guide that is not mandatory. It will be up to local authorities, working with their communities, to determine how many homes can actually be built, considering what should be protected in each area—be that our precious Green Belt or national parks, the character of an area, or heritage assets. It will also be up to them to increase the proportion of affordable housing if they wish.”*

1.2.4 It needs to be remembered that at this stage it is only a ministerial statement and that not in the revised NPPF nor legislation. This Plan needs to be produced using the current guidance and legislation.

1.2.5 There is already flexibility in the system and the use of the standard method for calculating housing need is to be used for all calculations but there is an option when preparing strategic policies to use a justified alternative (NPPF para.60). This is a ‘may’ not a ‘must’ and is only intended for exceptional circumstances.

1.2.6 The Council in finalising its assessment of housing land requirements for the Draft Local Plan has adopted a target higher than the minimum requirement set by the Government’s Standard Housing Methodology. Government guidance is clear that if the Council can demonstrate that an alternative approach identifies a higher housing need, the approach should be considered sound as it will have exceeded the minimum starting point (PPG Housing Need Assessment para 15). Boningle generally supports the Council’s approach.

### 1.3 Planning Context

1.3.1 The local plan review is currently at the Regulation 19 stage<sup>2</sup>. The consultation period will run from 11th November until 23rd December. The plan period for the new local plan will be 2018-2039, with the plan to be reviewed (in whole or in part) every 5 years.

1.3.2 The statutory Development Plan for the South Staffordshire area currently comprises the Core Strategy (adopted December 2012) and the Site Allocations Document (Adopted September 2018).

1.3.3 Policy SAD1 'Local Plan Review' of the Site Allocations Document (adopted September 2018) requires South Staffordshire Council to carry out an early review of the Local Plan, which must be submitted to the Secretary of State for Examination. Policy SAD1 sets out the provisions of issues that require consideration in the local plan review based upon known strategic issues affecting the District.

1.3.4 The Local Plan Regulation 19 Publication Plan Representation Form requests that representations are made surrounding the following two key questions:

- ***Q5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.***
- ***Q6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.***

1.3.5 Representations are made primarily in respect to the following policies in the Regulation 19 Publication LP.

- **Policy DS1 – Green Belt.** Whilst Boningle agree with the policy in terms of consistency of this policy with the NPPF and purposes of the Greenbelt, in determining the development allocations set out in Policies SA1, SA2, SA3, SA5 and SA7 and subsequent greenbelt boundaries, Boningle are of the view that there is a need to consider the overall levels of growth (Policy DS4) and distribution of housing supply (Policy DS5) as discussed below. In particular the following is noted in respect to the land interests to which this representation relates:
- **Policy DS4: Development Needs** (See Section 3)

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<sup>2</sup> South Staffordshire Council. Local Plan Review - Publication Plan (Regulation 19), November 2022

- **Policy DS5 - The Spatial Strategy to 2039** (See Section 5)
- Policy SA5: Housing Allocations - (this policy set of all the proposed allocations except the 4 strategic scale ones and future settlement (outside plan period). We could potentially frame the site assessments as additional allocations to this policy.
- Policy HC5: Affordable Housing:

***“All proposals for major housing development will be required to provide 30% affordable housing . This includes any development which provides self-contained units for day-to-day private domestic use, regardless of use class and whether care is provided to residents. The affordable housing should then be broken down by tenure as follows: 25% First Homes 50% Social Rent 25% Shared Ownership.... Planning applications that comply with up-to-date policies in this plan will be assumed to be viable. Consideration will not be given to reducing the affordable housing contribution on the grounds of viability unless the applicant can first demonstrate to the satisfaction of the council that particular circumstances justify a viability assessment at application stage, as per the PPG....”***

- Policy HC6: Rural Exception Sites Policy HC6 states that:

***“As an exception to planning policies relating to the location of housing development in the district, small rural exception sites of 100% affordable housing to meet the identified needs of local people will be supported where all of the following criteria are met: a) The site lies immediately adjacent to the development boundary of the settlement b) An affordable housing need has been identified in the parish through a robust housing need survey, which considers all tenures of affordable housing identified. in the NPPF definition, for the type, tenure and scale of development proposed. In parishes with more than one settlement, the survey should include data or be supplemented with additional information to demonstrate the housing need specifically in the settlement in which the development is proposed. c) The proposed development is proportionate in size and scale in relation to the existing settlement, having regard to its role in the settlement hierarchy d) The initial and subsequent occupancy is controlled through planning conditions and/or legal agreements to ensure the accommodation remains affordable and for local people in housing need in perpetuity e) The proposed development respects the scale, character and local distinctiveness of its surroundings.”***

## 2.0 Policy DS4 Development Needs

### 2.1 Housing Needs Analysis

2.1.1 Policy DS4 Development Needs, states that in the plan period from 2018 to 2039, a minimum of 9,089 net additional dwellings should be provided in the South Staffordshire District. This includes 5089 homes in the South Staffordshire area (equating to an average of 241 dwellings per annum dpa) and 4,000 homes to contribute towards the unmet needs of neighbouring Districts through a Duty to Co-operate. The specific elements of the Housing Target for the District are provided in Table 7 of the Submission LP (p29), as reproduced below.

South Staffordshire’s own housing need using the government’s standard method (2022-2039)	4,097
Completions in the district since the start of the plan period (2018- 2022)	992
Additional housing to contribute towards the unmet needs of the GBBCHMA	4,000
Total number of dwellings to be planned for	9,089

2.1.2 Policy DS4: Development Needs states that:

***“During the plan period up to 2039, the council will promote the delivery of a minimum of: a) 9,089 homes over the period 2018-2039 to meet the district’s housing target, whilst providing approximately 13% additional homes to ensure plan flexibility. This housing target includes the district’s own housing requirement of 5,089 homes, plus a 4,000-home contribution towards unmet housing needs of the Greater Birmingham and Black Country Housing Market Area...”***

2.1.3 In accordance with the requirements of the NPPF (2021) (namely paragraph 11, and 61) and the Planning Practice Guidance (PPG) the LP should contain a housing requirement that at least delivers the standard methodology minimum housing figure for South Staffordshire, and any needs that cannot be met within neighbouring areas should also be considered in establishing the amount of housing to be planned for.

2.1.4 PPG is clear that:

***“The government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. The standard method for assessing local housing need provides a minimum starting point in determining the number of homes needed in an area. It does not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour. Therefore, there will be circumstances where it is appropriate to consider whether actual housing need is higher than the standard method indicates.***

***This will need to be assessed prior to, and separate from, considering how much of the overall need can be accommodated (and then translated into a housing requirement figure***

***for the strategic policies in the plan). Circumstances where this may be appropriate include, but are not limited to situations where increases in housing need are likely to exceed past trends because of:***

- ***Growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth (e.g., Housing Deals);***
- ***Strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or***
- ***An authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;***

***There may, occasionally, also be situations where previous levels of housing delivery in an area, or previous assessments of need (such as a recently produced Strategic Housing Market Assessment) are significantly greater than the outcome from the standard method. Authorities are encouraged to make as much use as possible of previously developed or brownfield land, and therefore cities and urban centres, not only those subject to the cities and urban centres uplift may strive to plan for more home. Authorities will need to take this into account when considering whether it is appropriate to plan for a higher level of need than the standard model suggests.”***

**(Paragraph: 010 Reference ID: 2a-010-20201216, Revision date: 16 12 2020)**

2.1.5 We have concerns over the soundness of the approach taken to determine the Policy DS4 housing figure. These concerns principally focus on:

- (a) The Policy DS4 housing figure is lower than previous levels of planned and delivered housing;
- (b) The level of housing required to support economic growth and economic linkages;
- (c) The projected housing need of 4,000 homes under the Council’s Duty to Co-operate; and
- (d) Aspects of the Sustainability Appraisal.

## **2.2 Previous levels of planned and delivered housing growth**

2.2.1 With LP Policy DS4 setting a minimum housing requirement of 241 dpa over the period 2018 to 2039, the LP adopts the standard methodology minimum. We consider that this figure does not represent the most appropriate housing figure to ensure the sustainable growth of the District and wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

2.2.2 PPG also states that previous levels of housing delivery in an area or previous assessments of need can also be considered when determining housing need where they are greater than the standard method (Reference ID: 2a-010-20190220). In South Staffordshire, housing delivery in 2018/19 was 273 dwellings per annum. In the 2020/21 monitoring year, housing delivery was also 275 net completions per annum. The October 2022 SHMA Update also identifies a higher delivery rate than 241 dpa over the first four years of the plan period (see Table 1 below).

2.2.3 The SHMA Update, October 2022, identifies that the standard methodology figure for South Staffordshire is 241 dwellings per annum (dpa) which has been used to inform the Publication LP. This figure differs from the May 2021 SHMA, which identified a 254 dpa target. This also differs from the 270 dpa identified at the Issues and Options stage of the local plan review. The respective evidence sources for this are summarised in the Table 1 below.

Housing forecast DPA	Evidence base
SHMA October 2022 <sup>3</sup> 241 dpa Basis for Publication LP	The South Staffordshire District Council Strategic Housing Market Assessment – Update October 2022 identified a final housing need in South Staffordshire, as assessed using the revised Standard as 241 per year. <i>“The final housing need in South Staffordshire, as assessed using the revised Standard Method in 2022, is 241 dwellings per year. Paragraph 008 of the PPG42 notes that whilst ‘the standard PPG43, this approach provides an annual figure which can be applied to a whole plan-period. The NPPF requires strategic plans to identify a supply of sites for 15 years and therefore the Local Plan for South Staffordshire is intended to run from 2018 to 2039 (which equates to 15 years post adoption). The Council is intending that the evidence base will cover the period up to 2040 to account for any potential delays in the examination process. The modelling of the Local Housing Need will therefore be presented up to 2040 to facilitate this. The Council already has dwelling completions for 2018 to 2021, which amount to 749 homes. It is estimated that a further 243 have been delivered between 2021 and 2022. This means that for the first four-years of the plan-period an average of 248 homes have been delivered each year, in excess of the level of housing need of 241. From 2022 onwards, the Council is intending to deliver 241 homes annually as required by the standard method local housing need calculation. Across this twenty-two-year modelling period (2018 to 2040) a minimum of 5,330 new additional homes should be planned for in South Staffordshire (992 between 2018 and 2022 and 241 per year post-2022).”</i>
SHMA May 2021 254 dpa	The South Staffordshire District Council Strategic Housing Market Assessment – May 2021 identified a final housing need in South Staffordshire, as assessed using the revised Standard as 254 per year [emphasis added]. <i>“The NPPF requires strategic plans to identify a supply of sites for 15 years, however the Local Plan for South Staffordshire will run from 2018 to 2038, so for the plan-period modelling presented in Chapter 5 of the report, a 20-year period is used. The Council already has dwelling completions for 2018-19 and 2019-20, which amount to 496 homes. For the remaining 18 years of the plan period the requirement is for 4,572 new homes across South Staffordshire (254 per year). Across the twenty-year plan period it is therefore intended that 5,068 new homes will be delivered to address the housing need in South Staffordshire.”</i>
Issues and Options Stage <sup>4</sup> 270 dpa	Issue and Options Stage (2018) identified 270 dwelling / annum (Para 4.4) as informed by the Strategic Housing Market Assessment (2017) for South Staffordshire.

**Table 1: Summary of the respective evidence sources for housing growth**

<sup>3</sup> South Staffordshire Council. South Staffordshire Council Housing Market Assessment, May 2021 and Update 2022.

<sup>4</sup> South Staffordshire Council. Local Plan Review: Issues and Options, October 2018.

- 2.2.4 The Government's standard methodology identifies the minimum annual LHN, which is only a starting point. It does not produce a housing requirement figure. Any ambitions to support economic growth, to deliver affordable housing and to meet unmet housing needs from elsewhere may necessitate a housing requirement figure above the minimum LHN.

## 2.3 Supporting Economic Growth

- 2.3.1 A key strategic objective of the Publication Plan [Objective 6] is to develop an economic strategy that seeks to retain existing employment and fosters sustainable economic growth, encouraging inward investment and job creation in key sectors. In proposing a housing requirement of 241 dpa, the Submission LP does not propose any uplift to the standard methodology figure to support economic growth. In light of the aspirations within the Publication LP to support the economic potential of South Staffordshire, this points to a fundamental lack of ambition to deliver real change and enable the sustainable growth of the District.

- 2.3.2 Para 2.3 of the Publication LP in particular notes:

***“South Staffordshire has previously been a focus for inward investment resulting in substantial economic growth in the district in recent years. 154 South Staffordshire in particular has attracted internationally significant businesses such as Jaguar Land Rover, and the consent via a Development Consent Order (DCO) of the WMI Strategic Rail Freight Interchange is likely to see continued strong investment in the district...”***

- 2.3.3 Table 4 of the Submission LP also notes that a significant proportion of South Staffordshire's population travels to work outside the District and that over recent years South Staffordshire has aspired to provide more local jobs, reduce levels of out commuting and provide employment for residents.

- 2.3.4 This is reiterated by the Economic Development Needs Assessment (EDNA), undertaken on behalf of South Staffordshire District Council by DLP Planning<sup>5</sup> which also recognises at Paragraph 0.20.

***“An assessment of resident and workplace self-containment rates reveals that South Staffordshire itself has a low workplace self-containment rate (34%) and an even lower resident self-containment rate (21%). This does not pass the recommended 66.7% threshold for being considered a standalone Functional Economic Market Area (FEMA). Similarly low self-containment rates were also found in the individual authorities of the Black Country and Stoke and South Staffordshire Local Economic Partnership Area (LEP area), suggesting that the FEMAs are likely to overlap to some extent.”***

- 2.3.5 When considering commuting flows into and out of South Staffordshire as a proportion of all commuting flows, the strongest commuter links appear to be between South Staffordshire and Cannock Chase, Wolverhampton and Stafford in terms of in-commuting,

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<sup>5</sup> DLP Planning Ltd. Economic Development Needs Assessment 2020-2040, June 2022.

and between South Staffordshire and Wolverhampton, Walsall, Dudley and Cannock Chase in terms of out-commuting.

## 2.4 Duty to Co-operate

2.4.1 Overall, Boningle consider that the Publication LP fails to address the unmet housing need arising from the Great Birmingham and Black Country Housing Market Area (GBBCHMA<sup>6</sup>). The projected housing need of 4,000 homes under the Council's Duty to Co-operate is highly conservative. We therefore consider that identifying a higher need than the standard method figure could be justified by SSC, due to Greater Birmingham and Black Country Housing Market Area (GBBCHMA) shortfall, in accordance with Paragraph 61 of the NPPF. This is also in regard to the economic linkages outlined above.

2.4.2 The Publication Plan housing figures of 4,000 homes / annum is based on an approach derived in 2018 at the Issues and Options Stage, founded on the GL Hearn & Wood PLC. Greater Birmingham HMA Strategic Growth Study, published February 2018<sup>6</sup>. This study was produced in 2018, prior to revisions to the standard method which include uplift of 35% for Wolverhampton and Birmingham and latest urban capacity reviews for the Black Country and the Draft Black Country Regulation 18 Plan as well as the emerging Birmingham local plan review evidence. This conservative approach to providing 4,000 homes has therefore not been revised over the local plan review period in light of more recent emerging evidence.

2.4.3 Paragraph 5.10 of the Submission LP recognises that in addition to the district's own housing needs, there is emerging evidence of unmet needs from the wider GBBCHMA, within which South Staffordshire sits. The two most significant sources of potential unmet needs are currently Birmingham City and the Black Country. The adopted Birmingham Development Plan and emerging urban capacity evidence from the Black Country suggests that a significant unmet need is arising across the GBBCHMA, driven by limited housing land in these urban areas. Para 5.13 of the Publication LP in particular notes at Para 5.13 that:

***"Since it was proposed to accommodate this level of growth in 2018, updated land supply statements produced by the GBBCHMA local authorities have indicated the extent of the housing shortfall up to 2031 appears to have fallen significantly, whilst also indicating that the Black Country's urban capacity evidence shows a significant level of housing need arising into the later 2030s. This is also reflected in the 2021 Draft Black Country Plan consultation, which seeks to deliver housing in urban areas and through Green Belt release to meet the area's housing needs, delivering 47,837 homes within the Black Country up to 2039 whilst indicating a potential shortfall of 28,239 homes they seek to export through the Duty to Cooperate. In October 2022 Birmingham City Council started the process of agreeing an Issues and Options consultation for their new Local Plan which includes an early indication of a 78,415 home and 73.6ha employment land shortfall. These figures are based on current land availability before considering potential Green Belt release in***

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<sup>6</sup> GL Hearn & Wood PLC. Greater Birmingham HMA Strategic Growth Study, February 2018.

***Birmingham, but even if additional land supply can be identified, it is still likely that a significant shortfall from Birmingham will remain."***

- 2.4.4 This statement, whilst acknowledged in the Publication LP has not changed the overall provision of homes anticipated to be delivered through the Duty to Co-operate.
- 2.4.5 In addition, it is noted that the GL Hearn & Wood PLC. Greater Birmingham HMA Strategic Growth Study (February 2018) study parameters do not extend beyond 2036, which does not accord with the Publication Plan Period to 2039.
- 2.4.6 The four combined local authorities that make up the Black Country (Dudley, Sandwell, Walsall and Wolverhampton) have assessed, using the standard method, that the Black Country has a need for 4,000 new homes each year or 76,076 homes in total over the Black Country Plan period from 2020-2039. In developing the Draft Regulation 18 Black Country Plan (July 2021), land for 40,117 homes has been identified, taking account of all of the brownfield land currently available, plus any other sites in the existing urban area, which without greenbelt allocations would leave a shortfall of 35,959 houses. A Green Belt Assessment has been undertaken to understand if there is any suitable land within the Green Belt, that could be put forward for future development. The Draft Regulation 18 Black Country Plan proposes to allocate sites for 7,720 homes to be released from the Greenbelt. However, this still leaves a shortfall of sites for 28,239 houses. Whilst the Black Country Plan is currently stage of preparation, this indicates that a significant housing shortfall remains.
- 2.4.7 Based on a combination of the above factors it is considered that the Duty to Cooperate has not been fulfilled, contrary to NPPF paragraph 35.

## **2.5 Sustainability Appraisal**

- 2.5.1 The Sustainability Appraisal (SA) of the South Staffordshire Local Plan Review (2019-2039), Volume 2 (October 2022) identifies at Section 5 that six reasonable alternative housing growth options have been considered by the Council (five identified at the Issues and Options Stage of the SA Report, 2018; and one added for consideration at the Regulation 19 publication stage). Notwithstanding that all of the housing growth option are based on a higher dpa of 270 homes, that that currently proposed in the Regulation 19 Publication local plan, the approach adopted to the Duty to Co-operate by the Council most closely reflects Option C, which is stated by the Council / SA as the ***"minimum capacity implied by the Green Belt and Open Countryside Strategic Areas of Search set out in the HMA Strategic Growth Study"*** (with Options D and E considering the mid-point and upper capacity respectively). In addition, there is little differentiation between the SA appraisal of Options D-F in the tables or supporting analytical text.
- 2.5.2 We suggest that Option F should be given more thorough consideration as a viable reasonable alternative in the local plan review process in light of a combination of the evidence set out above. This option is suggested to:

***“Provide enough housing to meet South Staffordshire’s objectively assessed housing needs, and enough land to accommodate an additional 8,650 dwellings towards wider housing shortfalls from the HMA, reflecting South Staffordshire’s migration and commuting links with the Black Country authorities and Birmingham.”***

- 2.5.3 We also have some concerns about a number of inconsistencies or aggregation of information in the assessment of reasonable alternatives at a site level in the SA of the South Staffordshire Local Plan review.
- 2.5.4 The SA methodology<sup>7</sup> for assessing sites at Box D.5.1 is understood to aggregate all of the LUC greenbelt assessment ratings of ‘moderate-high’ and above as having a major negative impact (pre mitigation) and all sites of ‘moderate’ or less as having a ‘minor’ negative impact (although there appears to be a minor inconsistency / error in the text at Para D.5.3.4 in this regard). This fails to distinguish between the potential level of greenbelt impacts, particularly around settlements with sites of moderate-high impacts expected to perform comparatively better than sites of ‘high’ or ‘very high’ impact in respect to this criterion. It is however recognised that the Council’s SHELAA proformas seek to address this, which is also acknowledged in the Housing Site Selection Topic Paper<sup>8</sup>.
- 2.5.5 The methodology for assessing the ‘education criteria’ (pre mitigation) at Appendix D of the SA is also unclear as the only difference in the criteria for a major or minor impact is whether the housing is a ‘new’ development. The methodology relating to distances is also based on a 2010 paper specifying distances (800m for primary schools and 1.5km for secondary schools) as opposed to the use of modelling data or mapping provided by the County Council. Notwithstanding this, paragraphs F.2.11.1 and F.2.11.2 of Appendix F<sup>9</sup> of the SA for Site 515 for example, refer to a minor negative impact with respect to education, so it is not clear how a subsequent ‘major impact’ (pre mitigation) has been derived.
- 2.5.6 This is concerning as the Council refer to this evidence both in their SHELAA proformas and ‘reasons for selecting / rejecting sites’ at Appendix H of the SA<sup>10</sup>. This aspect, in addition to the potential for mitigation / enhancements to bring otherwise suitable sites forward warrants due consideration as part of the local plan review process.
- 2.5.7 Overall, neither the greenbelt criteria assessment or education assessment seems to have been applied consistency across site assessments in the SA (with discrepancies identified in how major and minor impacts have been attributed).

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<sup>7</sup> Appendix D ‘Methodological Assumption’ of the Sustainability Appraisal of the South Staffordshire Local Plan Review (2019-2039), Volume 3 (October 2022)

<sup>8</sup> South Staffordshire Council. Housing Site Selection Topic Paper, November 2022

<sup>9</sup> Appendix F ‘Reasonable Alternative Site Assessments (Pre Mitigation)’ of the Sustainability Appraisal of the South Staffordshire Local Plan Review (2019-2039), Volume 3 (October 2022)

<sup>10</sup> Appendix H ‘Selection and Rejection of Reasonable Alternative Sites’ of the Sustainability Appraisal of the South Staffordshire Local Plan Review (2019-2039), Volume 3 (October 2022)

2.5.8 There is a legal requirement to assess reasonable alternatives as part of the Strategic Environmental Assessment process, and there is a requirement to submit a Sustainability Appraisal as part of the examination process. It is also acknowledged that the SA in itself does not (**and should not**) perform a planning balance exercise, which involves the weighing of various planning considerations for the selection of policies or site allocations in the emerging plan process. Notwithstanding the discrepancies identified above, the Sustainability Appraisal appears to consider an appropriate range of potential site allocations and reasonable alternatives at a strategic level. We would however, request that appropriate consideration of the above points be considered by the Council and throughout the examination process.

## 2.6 Green Belt Assessment

2.6.1 The Green Belt Assessment forms a crucial part of the Evidence Base for the emerging Plan and has been conducted by LUC (consultants on behalf of SSDC) in July 2019, with a further update in immediately prior to publication in November 2022. The same consultants carried out the original assessment in 2014 and 2016 update. The concern for Boningle is that the 2019 and 2022 updates differ in some of its interpretation of the parcels of land at particularly at Codsall.

2.6.2 The Green Belt Assessment assesses each parcel of land's contribution to the 5 core purposes of Green Belt Land. It concludes by suggesting that the Council develops an exceptional circumstances case to justify alteration to the Green Belt Boundaries and use this assessment during site selection. Boningle supports the release of Green Belt land in order to deliver sites for South Staffordshire's housing land requirement. As with the sustainability assessments undertaken by the Council, Boningle also questions the individual Green Belt Site Assessments completed for the sites being promoted by Boningle. The issues arising from both the Sustainability Appraisals and Green Belt Assessments are discussed in the site specific representations for each of Boningle's sites.

2.6.3 We understand that the 2019 Green Belt Assessment has been produced to provide an update to inform the emerging Local Plan and to respond to any land use changes since the original Green Belt Assessment was published. Boningle have identified some anomalies in the assessments carried out that need clarification. This has already been expressed in a letter seeking clarification (6<sup>th</sup> December 2022). Although the assessment methodologies are different, the five key purposes of Green Belt remain the same. It is also true that the two areas to the south and west of Codsall have had no development during the time of adoption of the current Local Plan and the current review.

2.6.4 It is understood, under the 2019 LUC Stage 2 Greenbelt Assessment, that the site (SHELAA site reference 515) is now located in Greenbelt parcel S46Bs2. This land parcel covers a relatively wide geographical area encompassing the majority of land to the south of Codsall, with the site located in the extreme north-west corner of this parcel (LUC Parcel S46Bs2). The 2019 LUC greenbelt assessment attributes an overall 'moderate-high harm rating' to this parcel. It is, however, also important to note that within Appendix 3 of the supporting text of the Stage 2 2019 Greenbelt Assessment (LUC, July 2019 Appendix 3 p556) the following statement with reference to parcel S46Bs2:

***“The sub-parcel makes a strong contribution to preventing sprawl of the West Midlands conurbation and preventing encroachment on the surrounding countryside. However limited areas of land identified on either side of the River Valley lying within this sub-parcel could be released without significantly compromising the distinction between Codsall and the West Midlands conurbation. The release of these identified areas, some of which are partially contained by or contain urbanising uses, would simplify the resulting Green Belt boundary without weakening the integrity of surrounding Green Belt land.”***

- 2.6.5 Various maps within the 2019 LUC Greenbelt Assessment and supporting appendices also denote that the majority of land within the wider greenbelt parcel (S46Bs2) are attributed a ‘high’ level of harm assessment (as shown on the map shading), which may have potentially led to an elevated aggregate scoring for this parcel as a whole.
- 2.6.6 The South Staffordshire Green Belt Study Addendum (LUC August 2022) follows the same rating and approach to Greenbelt Parcel S46Bs2 as the 2019 LUC assessment.
- 2.6.7 This is important for site 515 (The Bungalow Site, Codsall) which is being promoted by Boningale. It is also inconsistent in the fact that the site is now considered to now lie within parcel S46Bs2. Such anomalies need to be addressed and there need to be consistency in the assessment of Green Belt to allow an objective view to be taken in allocating potential sites with the Local Plan. We are of the opinion that the site should be categorised as of a ‘moderate harm rating’ the same as the adjacent Land Parcel to the east (Parcel S50A), in demonstrating similar characteristics to acknowledge that Parcel S50A appears to correlate with the garden centre.
- 2.6.8 We find the confusion in relation to these parcels, given the previous assessments and the lack of a material change since then in respect of the land, bewildering and concerning. This has already been raised and previous conversations between Boningale Homes and officers indicated that the above mentioned changes were a mistake and our understanding therefore was that this categorization would be appropriately corrected as it is clearly inconsistent with the evidence base. However, such correction doesn’t appear to have taken place and we are accordingly seeking clarification, as it is crucial that we fully understand the results of the Green Belt Assessment.

## 3.0 Policy DS5 Housing Land Supply

### 3.1 Spatial Strategy for Distribution of Housing Land Supply

#### 3.1.1 Policy DS5 – The Spatial Strategy sets that:

*“...The principal aim will be to meet needs in a manner which builds on the district’s existing infrastructure and environmental capacity, whilst recognising opportunities to deliver local infrastructure opportunities identified within the district. Throughout the district, growth will be located at the most accessible and sustainable locations in accordance with the settlement hierarchy set out below. The council will work with partners to deliver the infrastructure, facilities and services required to support this growth. An integral part of the Strategy will be to ensure that growth is distributed to the district’s most sustainable locations, avoiding a disproportionate level of growth in the district’s less sustainable settlements, whilst also recognising that very limited growth in less sustainable areas may be appropriate in limited circumstances set out in the settlement hierarchy below. It will also seek to maintain and enhance the natural and historic environment and the local distinctiveness of the district and retain and reinforce the current settlement pattern....”*

#### 3.1.2 Extract from Table 8: How housing growth will be distributed across the district (p33)

Spatial Housing Strategy 2018 - 2039	Indicative minimum dwelling numbers 2018- 2039 <sup>11</sup>			
Location	Total proportion of housing delivery	Existing planning permissions and allocations	Safeguarded land	New allocations
<b>The district’s rural area</b>				
<b>Tier 1 villages</b>	<b>40.5%</b>	<b>1228</b> <b>[1227]</b>	<b>890</b>	<b>2042</b>
Penkridge	17.8 %	529	88	1209
Codsall/Bilbrook	16.8 %	462	584	679
Cheslyn Hay/Great Wyrley	5.9 %	236	218	154
<b>Tier 2 villages</b>	<b>16.5%</b>	<b>723</b> <b>[748]</b>	<b>614</b>	<b>310</b> <b>[332]</b>
Wombourne	8.0 %	300	280	245
Brewood	1.8 %	77	63	43
Kinver	2.6 %	136	82	44
Perton	3.7 %	226	150	0
Huntington	0.5 %	9	39	0
<b>Tier 3 villages</b>	<b>5.9%</b>	<b>472</b>	<b>100</b>	<b>37</b>

<sup>11</sup> These figures incorporate planning permissions granted since 2018 as well as allocations and safeguarded land from the council’s adopted Site Allocations Document (2018) that have yet to come forward.

		<b>[473]</b>		
Essington	2.3 %	235	0	0
Coven	1.1 %	66	48	0
Featherstone	1.2 %	86	35	0
Shareshill	0.0 %	3	0	0
Wheaton Aston	0.8 %	67	0	15
Pattingham	0.2 %	7	17	0
Swindon	0.3 %	9	0	22
<b>Tier 4 villages</b>	<b>0.4%</b>	<b>43*<sup>12</sup></b>	<b>0</b>	<b>0</b>
<b>Growth in other rural locations and Tier 5 settlements</b>	<b>2.8%</b>	<b>258*<sup>2</sup></b>	<b>0</b>	<b>0</b>
<b>Areas adjacent to neighbouring towns and cities</b>				
Employment-led growth at Land at Cross Green (Brewood and Coven Ward)	11.7%	0	0	1,200
Northern edge of the Black Country at Land north of Linthouse Lane (Essington Ward)	11.7%	0	0	1,200
Western edge of the Black Country at Land at Langley Road (Wombourne North and Lower Penn Ward)	3.8%	0	0	390
South of Stafford at Land at Weeping Cross (Penkridge North East and Acton Trussell Ward) (A34 corridor)	0.8%	0	0	81
<b>Other Sources of Supply</b>				
Windfall development on small sites	5.8%	600	0	0

3.1.3 Based on Enzygo's analysis of this extract of Table 8 from the Publication LP, the following totals can be derived. Please note these appears to be a potential minor error in the Council's aggregation of figures for existing permissions and new allocations across a small number of settlements, denoted by areas in brackets, although these do not affect the fundamental aspects of the points specified below. A 13% contingency for the housing need figures in

<sup>12</sup> \*Supply is made up of permissions for single dwellings through to a single permission for 34 dwellings. See Housing Site Assessment Topic Paper for full details.

Policy DS4 (9089 plus 13% we calculate would equate to 10270 homes, which is broadly approximately to the supply specified below).

Spatial Housing Strategy 2018 - 2039	Indicative minimum dwelling numbers 2018- 2039			
	Overall proposed housing supply	Existing planning permissions and allocations	Safeguarded land	New allocations
Totals (calculated by Enzygo)	10188 [10235]	3324 [3349]	1604	5260 [5282]

3.1.4 As well as the above comments about the identified housing requirement figure, Boningle also share serious concerns with how Policy DS5 proposes to meet the overall housing requirement identified.

3.1.5 Boningle have reviewed the SHELAA sites (up to the SHELAA November 2022 Update) that make up the identified supply and have serious concerns that it is not justified nor effective plan-making to rely on all of these sites to meet housing needs to the level anticipated.

3.1.6 This representation discusses these concerns in the context of the following two areas of objection:

- Effectiveness of Strategy. The reliance on the identified SHELAA sites will result in a LP Strategy which is not effective and will not achieve sustainable development.
- Realism of Delivery. Boningle have serious concerns as to whether these sites can be considered to be deliverable and developable at different stages of the plan period in accordance with national policy and, accordingly, whether the Publication LP is justified in relying on them to meet housing needs as anticipated.

### 3.2 Effectiveness of Strategy

3.2.1 With reference to the extract from Table 8 from the Publication LP above, just over half of the housing delivery (5260 homes) is anticipated to come from new allocations, with the remaining to be delivered through existing planning permissions and allocations (3324 homes) and safeguarded land (1604 homes). Just under half of the housing delivery over the plan period is therefore anticipated to come from a combination of existing permissions, allocations and safeguarded land.

3.2.2 Of the 5250 new homes, 2389 new allocations are proposed across the Districts Tier 1-3 settlements (including strategic allocations), with no homes proposed adjacent to Tier 4 or Tier 5 settlements. The remaining new allocations are proposed adjacent to neighbouring towns and cities (including strategic allocations).

3.2.3 Of the 5,260 new housing allocations, approximately 4377 are anticipated to come from 4 strategic allocations as set out below.

- Policy SA1 – Strategic development location: Land East of Bilbrook 848 homes
- Policy SA2 – Strategic development location: Land at Cross Green 1,200 homes
- Policy SA3 – Strategic development location: Land North of Linthouse Lane 1,200 homes
- Policy SA4 – Strategic development location: Land North of Penkridge 1,129 homes

3.2.4 This tends to indicate that only 883 new homes would be delivered in the plan period from 2018 to 2039, outside of the new strategic allocations, existing planning permissions and allocations and safeguarded land.

3.2.5 Whilst we agree with and welcome the thrust of this policy that the majority of housing should be directed to the accessible and sustainable locations in accordance with the settlement hierarchy (e.g. in locations such as Tier 1 and 2 settlements such as Codsall and Brewood respectively where these locations are likely offer better access to existing infrastructure and services or where new development could facilitate new infrastructure delivery), we do not agree with the exclusion of allocations of a proportionate scale near to smaller settlements in their entirety (Tier 4 in particular) for achieving balanced growth across the District.

3.2.6 In relation to Tier 4 and Tier 5 settlements, following consultation on the 2021 Preferred Option, the Regulation 19 Publication LP states at Para 5.20 that the Council has subsequently;

***“[Removed] allocations of 1ha or less from sites solely in the Green Belt in smaller villages, as the council can deliver its small sites duty in more sustainable locations without this supply.”***

This could potentially lead to a skewed distribution of housing sites, overly focussed on existing allocations and safeguarded land in the village centres and new large strategic sites. There needs to be a balanced portfolio of size and type of sites across the District to ensure the health and future of all settlements.

3.2.7 Overall, we have some concerns that the emerging LP may struggle to deliver specific deliverable sites to achieve the required level of completions at different stages in the plan period. Proportionate and appropriately located sites are likely to provide a helpful boost to delivery in the early years of the plan period which would help to support longer-term delivery of larger strategic sites that may experience longer lead in times to delivery.

### **3.3 SHELAA**

3.3.1 Section 6 of the November 2022 SHELAA update identifies that as of April 21<sup>st</sup>, 2021, there was 7.12 years of housing land supply against the Council’s local housing needs, based upon existing and anticipated planning permissions within the District. This equates to a housing supply of 1815 dwellings between 2021 and 2026. The SHELAA’s assessment of housing

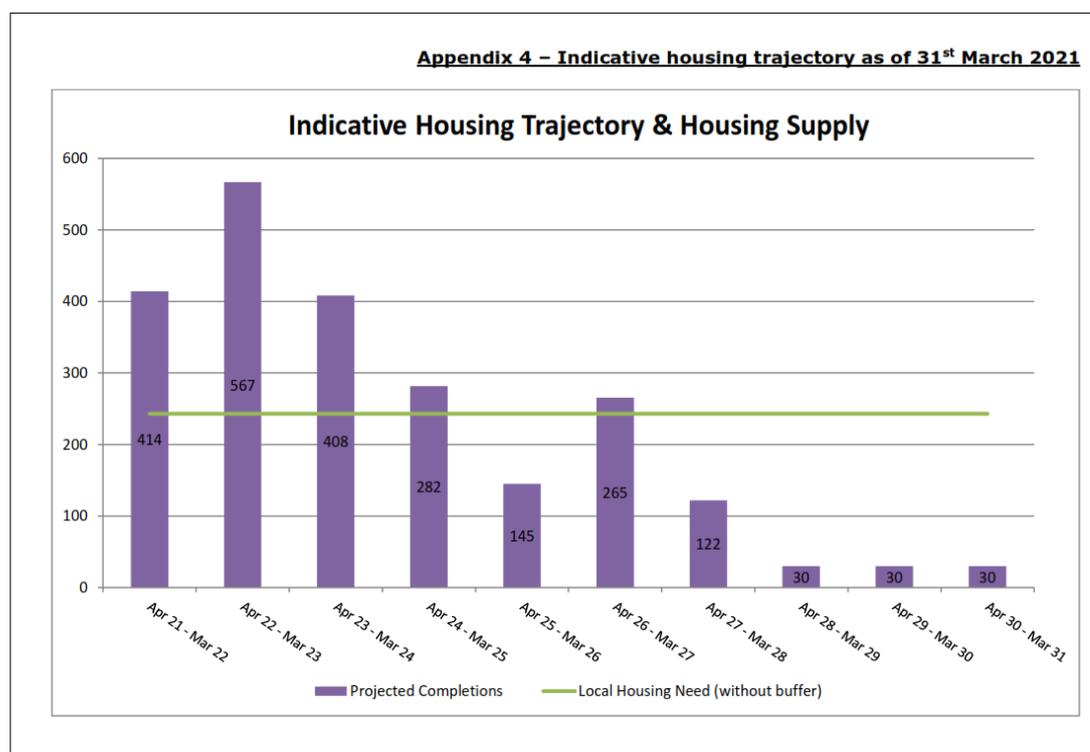
capacity has sought to identify future sources of deliverable/developable supply which could assist in addressing the district’s own housing needs and a potential contribution to the unmet needs of other local authorities. The November 2022 SHELAA update confirms that there are a limited number of sites currently suitable for housing deliverable within 5years, 5-10 years 10 years+ (Sites with categories S1-S3).

3.1.2 The large majority of SHELAA sites fall under the following categories:

- NCD1 Sites potentially suitable for housing but not currently developable because of a policy designation (e.g., Green Belt/Open Countryside/Employment Land/outside current Spatial Strategy/Safeguarded Land Policy)
- NCD2 Sites potentially suitable for housing but not currently developable because of other constraints

	Suitable (S1-3)	Potentially suitable/not currently developable (NCD1 & NCD2)	Not suitable (NS)
<b>DISTRICT-WIDE TOTAL (dwellings)</b>	<b>293</b>	<b>71027</b>	<b>30107</b>

3.1.3 This is further reinforced by the Indicative housing trajectory in Appendix 4 of the November 2022 SHELAA Update as reproduced below.



3.1.4 In relation to broad locations for growth, Appendix 3 of the November 2022 SHELAA ‘Summary of Capacity by Broad Location’ notes that:

- For the Bilbrook / Codsall area **“A large proportion of potential supply comes from one site (Site 519), which is either constrained by both Greenbelt and Safeguarded**

***Land designations. Remaining potential strategy supply comes from Green Belt sites, safeguarded land and sites within the development boundary which are not currently available...***

- For the Brewood Area ***“Almost all potential supply is on the village edge sites in the GreenBelt...”***
- For the Bishops Wood Area ***“All potential supply is on village edge Green Belt sites. All sites also constrained by the existing spatial strategy (Core Policy 1) which restricts housing growth in Bishops Wood.”***

### **3.4 Housing Land Supply**

3.4.1 As well as the above comments about the identified housing requirement figure, Boningle share fundamental concerns with how the Publication LP proposes to meet the overall housing requirement identified.

3.4.2 Policy DS5 and Table 8 of the Publication LP (see extract above) describes how the housing requirement will be met from the following sources:

- a) Sites with existing planning permission;
- b) Sites allocated in the Site Allocations Document (Adopted September 2018) that are not yet developed (re-allocated SAD allocations);
- c) Safeguarded land in the Site Allocations Document (Adopted September 2018);
- d) New proposed allocations identified through the SHELAA process; and
- e) ‘Windfall’ development

3.4.3 It is worth highlighting that there seems to have been a change in approach in the Publication Plan in that existing housing allocations are grouped together with existing permissions - on the basis that these sites have been assessed as likely to come forward. Safeguarded land is however treated the same as other SHELAA sites.

3.4.4 The Submission LP sets out that a key priority for the Plan is to maximise housing delivery on previously developed (‘brownfield’) land. Paragraph 5.3 of the Submission LP states that “

***“Wherever possible, the council has looked to allocate suitable brownfield sites first and foremost, to reduce pressure on the district’s Green Belt, however these are very limited due to the largely rural nature of the district. Most large-scale site options on brownfield land are either in isolated rural locations or form part of the district’s employment land supply and need to be retained to ensure the district can meet its employment land needs. Previous Local Plans also identified large brownfield sites in the Green Belt (known as major developed sites in the Green Belt) but all of these have now been developed. There is an area of brownfield land adjacent to the south-western edge of Wombourne, which is mainly occupied by the car storage company Copart. This site has been assessed as an option for housing, however it is not proposed for allocation due to uncertainty over the relocation of the existing business. Elsewhere, brownfield opportunities in sustainable locations tend to be small scale (e.g., garage sites, small infill plots, changes of use under permitted development) and if unconstrained have historically come forward through the***

***Development Management process and outside of the Local Plan, as the principle of such schemes is generally considered acceptable. The council has included a windfall allowance for these smaller site opportunities within the housing trajectory to ensure this is accounted for in future supply.”***

3.4.5 It is on the basis that the Council have calculated how much of the overall housing requirement must be delivered on sites outside of the existing urban areas, and specifically therefore how much land should be released from the Green Belt and Open Countryside. As acknowledged in the Publication LP, approximately 80% of land in South Staffordshire is located within the Greenbelt.

3.4.6 The preparation of the Local Plan presents a vital opportunity to review the Green Belt boundaries within South Staffordshire. Boningle welcome and strongly support the Council’s acknowledgement that not all of the District’s future housing needs can be met within the existing urban areas and that exceptional circumstances exist, in line with paragraph 140 of the NPPF, to justify the release of Green Belt land within the next Plan Period. Paragraph 140 is clear that Green Belt boundaries should only be altered through the preparation or updating of plans.

3.4.7 Furthermore Paragraph 141 and 142 of the NPPF states:

***“141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy: a) makes as much use as possible of suitable brownfield sites and underutilised land; b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.”***

***“142. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be considered. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.”***

3.4.8 Boningle have significant concerns that the strategy being proposed in the Publication LP, considerably over-estimates the number of dwellings that are realistically likely to come forward on existing allocations and safeguarded land over the plan period, combined with a reliance on four large scale strategic sites to enable plan delivery. In doing so, it is Boningle’s view that the Council are failing to identify sufficient land outside of the existing urban areas and within the Green Belt to meet future housing needs. In this way the strategy set out in Policy DS5 fails to plan effectively for the future and is not consistent with national policy which requires plans to bring sufficient land forward to meet housing needs and secure the long term permanence of Green Belt boundaries.

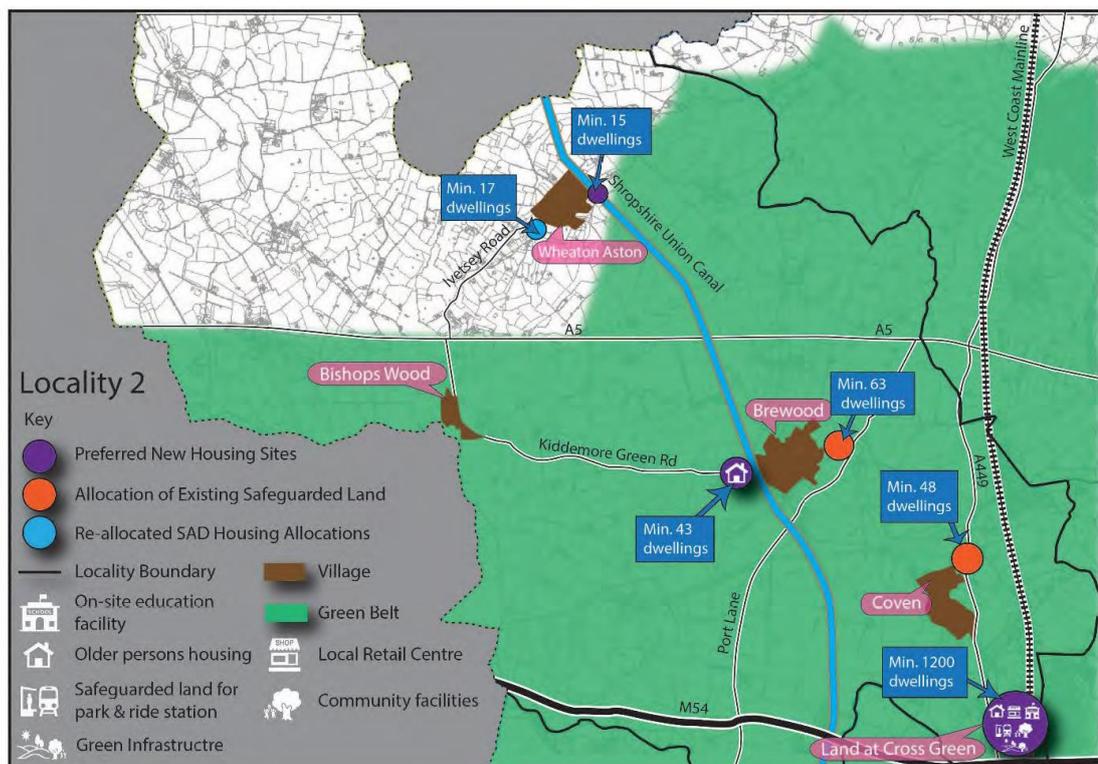
### 3.5 Spatial Distributions of Sites

#### Brewood Analysis

3.5.1 The Regulation 19 Publication LP notes the following for Brewood at Para 5.32 p36

***“5.32 Housing growth in the village will be delivered through limited land release alongside the delivery of the safeguarded land previously identified adjacent to the village. This approach balances the historic character of the village, the extent of Green Belt land in this area and the relative level of services and facilities in Brewood compared to other settlements in the district. It also recognises the potential for additional allocations to be made to address the acute local need for specialist elderly housing in this location.”***

3.5.2 The proposed allocations for Brewood are shown on p36 of the Publication LP (reproduced below)



3.5.3 The Regulation 19 proposed allocations are the safeguarded land (SAD Site 055/068) to the northeast (part of SHELAA site 617) and new greenbelt site 079 to the west of settlement. These are proposed to be allocated as follows:

- Four Ashes Lane (Safeguarded land, re-allocated). Residential. 63 dwellings. Part of SHELAA site 617
- Land South of Kiddermore Green Road. Residential. 43 dwellings (including specialist housing). SHELAA Site 079.

**Codsall / Bilbrook Analysis**

3.5.4 The Regulation 19 Publication LP notes the following for Codsall/Bilbrook at Para 5.42 p40:

***“5.42 Housing growth in this part of the district will be largely focused on Codsall/Bilbrook. Increased allocations around the village will deliver housing growth alongside a mix of other uses, including a new first school, local retail and strategic green infrastructure. This recognises the recommendations for proportionate dispersal around Codsall/Bilbrook in the GBBCHMA Strategic Growth Study and the greater level of services and facilities in this area compared to other villages in the district, including access to two railway stations. The level of growth to be delivered is also aligned to the level of growth advised by the Education Authority to deliver an appropriately sized First School in this location whilst avoiding creating capacity issues at the Middle and High School level. It also offers opportunities to deliver additional station car parking at Codsall.”***

3.5.5 The Regulation 19 proposed allocations for Codsall / Bilbrook area are shown on p40 of the Publication LP.



3.5.6 The proposed Reg 19 allocated sites are as follows:

- Bilbrook House. Residential. 13 dwellings. SHELAA Site 213 (middle of settlement).
- Land East of Bilbrook. Large greenbelt strategic allocation to southeast of settlement. 848 dwellings. SHELAA site 519.
- Land adjacent to Station Road. Greenbelt land to northwest of settlement. 85 dwellings. SHELAA site 224.
- Former adults training centre at Histons Hill. SAD Site 228 (carried forward brownfield re-allocation middle of settlement). 29 dwellings<sup>13</sup>.
- Land at Keepers Lane and Wergs Hall Road. Carried forward safeguarded land to south of settlement. SHELAA site 419a&b.

### 3.6 Realism of Delivery

#### ***Brownfield land delivery***

3.6.1 Boningle agree with the Council that there are a limited number of opportunities for future development of brownfield sites in the South Staffordshire District. Two brownfield sites have been identified in the vicinity of Codsall and Oaken, which have not been built out<sup>14</sup>, or have been allocated but have not yet been granted planning permission<sup>15</sup>.

#### ***Site capacity and housing densities***

3.6.2 The proposed allocations appear to provide a higher number of dwellings/capacity in some instances, than those considered in the SHELAA study. For instance, Appendix 8, Locality 4 of the 2022 SHELAA for site 419a&b Land at Keepers Lane, Codsall seems to indicate a capacity of 290 dwellings (with 317 dwellings now proposed to be allocated).

3.6.3 The SHELAA (November 2022) identifies at Paragraph 5.16 that in estimating the housing potential for a site a number of factors were considered in calculating a baseline minimum net deliverable area for estimating site capacity. Paragraph 5.19 of the SHELAA (November 2022) update also states that:

***“Where there are site specific characteristics that may affect the net developable area, such as flood zones and tree preservation orders, these have been considered alongside***

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<sup>13</sup> 18/00544/FUL | Erection of 29 residential units including access, parking and private amenity space. | Codsall Adult Training Centre Histons Hill Codsall Wolverhampton South Staffordshire WV8 1AA. Validated July 2018, awaiting decision. The Council have re-allocated this <1ha site, initially identified in the adopted SAD.

<sup>14</sup> Oaken Planning Application 15/00215/FUL | Demolition of existing single- and two-storey buildings and development of 12 dwellings | H S Hommers & Sons Terrace Nurseries Oaken Drive Oaken Wolverhampton South Staffordshire WV8 2AZ. This application was approved in May 2016 but as acknowledged in the SHELAA, this site has not been brought forward. No further proposals to bring this site forward have been identified in the local plan or SHELAA process.

<sup>15</sup> In respect to Re-allocated Site 228 Land off Histons Hill (18/00544/FUL), the Council’s Housing Monitoring and Five Year Housing Land Supply 2020 – 2021 at Appendix 2 of the SHELAA, identifies that “At this time, having regard to the progress of the site towards submission of a planning application and the extent of developer involvement in the site, the Council is choosing not to rely on the dwellings which will be realised from this site, instead assuming that all supply will come forward in the 6-15 year period. This is done to ensure it can be certain of meeting the NPPF 2021 tests for deliverable sites. Notwithstanding this approach, the Council is confident that the site is still deliverable, as demonstrated in the Site Allocations Document examination and has every confidence that the site will likely become deliverable for the purposes of the five year supply in advance of April 2025 as it is progressed by the landowners.”

***the above assumptions where it is judged that they will help to inform a more robust assessment of the site’s capacity.”***

3.6.4 In respect to the SHELAA (November 2022) update identifies at Paragraph 5.20 that the following starting point assumptions (based on previous 2018 SHELAA) have been identified

***“using an analysis of average density across historic planning permissions from 2007-2017 for similar schemes within the district as follows.”***

<b>Density assumptions (dwellings per net developable hectare)</b>	
Village edge/isolated greenfield sites	<b>32 dph</b>
Sites within existing village envelope/brownfield sites	<b>38 dph</b>
Sites on the edge of an adjacent urban area (e.g. the Black Country)	<b>35 dph</b>

3.6.5 It is understood that these assumptions have been revised by the Council in informing Policy HC2: Housing Density which proposes a net density at 35dph in certain additional circumstances.

***Affordable housing***

3.6.6 The SHMA identifies that affordable housing would need to be provided at an overall rate of approximately 27% to meet South Staffordshire’s housing supply and affordable housing needs. One concern that Boningale have is that this is largely reliant on the delivery of a 30% affordable housing target established under Policy HC5: Affordable Housing of the Publication LP which specifies all proposals for major housing development will be required to provide 30% affordable housing.

3.6.7 Whilst this may be achievable in some instances (and the existing adopted Development Plan also sets out provisions for affordable housing), we have some concern that an over reliance on this figure could give an over optimistic delivery forecast, particularly given the reliance on the strategic sites in the overall housing supply delivery trajectory.

3.6.8 Paragraph 3.2.3 of the South Staffordshire Council – Viability Study - Local Plan – Stage 2 (October 2022) assessment also acknowledges that:

***“...a 30% AH outcome may be challenging to achieve in some circumstances. We consider that this needs to be acknowledged as well, but are of the view that this need not take away from the effectiveness of the proposed 30% AH policy headline intention. This should***

***be a realistic expectation to inform the decision making stage on greenfield hosted developments.”***

Paragraph 3.2.4 goes on to acknowledge that...

***“3.2.4 Following the Stage 1 work and although appropriately in the local circumstances not revisited at this Stage 2, again we need to acknowledge that development on at least some PDL is likely to face a more changing viability scenario. This is due to the combination of higher EUVs of sites (leading to higher BLVs) and the often higher development costs and could mean some sites are not able to perform to a single, clear AH % level in policy, for example. This has been considered with the Council and our understanding is that given the nature of the available land in the district and the significant reliance on greenfield based development for the planned new development, this need not be reflected through a differential policy approach; a simple, consistent approach is preferred on balance. A pragmatic approach may be taken.”***

- 3.6.9 The above analysis further highlights the importance that a larger number of deliverable and viable greenfield sites are identified in order to maintain the continued delivery of affordable housing across the District and throughout the Plan Period, in line with the need identified.
- 3.6.10 Whilst we appreciate that conclusions in relation to each site are to some extent a matter of planning judgement, the concerns we have with specific sites add up to create an overall picture that delivery from a significant number of the SHELAA sites is highly uncertain in terms of timings of deliverability, density and affordability.

## 4.0 Site Specific Assessments

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### 4.1 Boningale Sites

4.1.1 Boningale continues to support and promote a number of sites which are currently designated in the Green Belt in the adopted Local Plan. These sites are as follows:

- BH025 Tong Road, Bishop's Wood
- BH026 Land South of Land South of Kiddermore Green Road
- BH027 (a) Land South of Dirty Lane (1), Brewood
- BH027 (b) Land South of Dirty Lane (2), Brewood
- BH028 Land South of Coven Road, Brewood
- BH029 Land North of Whitehouse Lane, Codsall Wood
- BH030 Land North of Harriotts Hayes Lane, Codsall Wood
- BH031 The Bungalow Site (Land East of Heath House Lane), Codsall
- BH032 Land West of Heath House Lane, Codsall

4.1.2 Boningale and/or the land owners has previously put the site forward through the Call For Sites for consideration as allocations in the Local Plan. Individual representations for each of these sites has been made separately although they should be read in conjunction with this overall response to the Publication Plan.



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